

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**RUSSELL D. BALCH,**

**Plaintiff,**

**v.**

**Case No. 2:08-CV-976  
Judge Holschuh  
Magistrate Judge King**

**OHIO DEPARTMENT OF  
REHABILITATION & CORRECTION, et al.,**

**Defendants.**

**ORDER**

On June 21, 2010, the United States Magistrate Judge issued an *Order and Report and Recommendation* denying certain motions of the parties and recommending that defendants' motion for judgment on the pleadings be granted. *Order and Report and Recommendation*, Doc. No. 66. Although the parties were advised of their right to object to the recommendation and of the consequences of their failure to do so, *id.*, there has nevertheless been no objection.

The recommendation of the Magistrate Judge is **ADOPTED and AFFIRMED**. Defendants' motion for judgment on the pleadings, Doc. No. 62, is **GRANTED**.

This action is **DISMISSED** and the Clerk is **DIRECTED** to enter **FINAL JUDGMENT**.

Date: July 14, 2010

/s/ John D. Holschuh  
John D. Holschuh, Judge  
United States District Court